Previous references. 1896-97 ~~190~~.

(Police)

Later references.

File No. 95

Serial Nos. 1-5

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-5

Major **Part B.** for Nov 97

SUBJECT.

Surrender to the Mysore Police, without an Extradition Warrant of two persons at in the British Territory —

3½ 1 From the Asst Magistr Kolar No. C. 49 of 15 & 97 Submits for orders of Govt a case of illegal arrest & surrender of an accused who was found in the Mysore Territory —

3½ 2 To the Asst magistr Kolar No 2714 dt 21.9.97 Directs to submit necessary evidence for the Extradition of the persons accused — ₹ 440

3½ 3. From the Asst Magistr Kolar No 1289 dt 20.10.97 States that it is not necessary to take any ₹ 368 necessary action as the case against the accused does not seem to be very strong —

4. It. To the F. A R. No. 4915 & 7542 / 3. 11. 97
States that the Dist. Magistrate of Kolar is of opinion that no action is to be taken in the case referred to, above as the evidence against the accused does not appear to be very strong —

5. From the F. A R. No. 4779 of 11. 11. 97
Acknowledges receipt of the above letter of 3. 11. 97 re. the extradition of Yakkar Venkamma & Baijakka —

P. Seshagiri Rao.

Commissioner

(1) 1

on. Serial No. 31.]

OFFICE OF THE DEWAN OF MYSORE. 11454 25 JUN 1897 F 1444

189

SECTION Police

FILE N Pol 95 of 96

SERIAL No. 1

Subed & 1st Cr.

From The District Magistrate, Kolar

To The Secretary to the Government of Mysore, General & Rev. Departments

Dated 18
Despatched
Received 23 June 1897 @ 5.15 P.M.

Enclosures No. 2

Camp
~~General~~ No. 49
No.

Submitting for orders of Government another case of illegal arrest and surrender of an accused who was found in the British Territory.

This is another blunder by the same magistrate, viz the Madanpalli Sub Magistrate & may be brought to the notice of the District Magistrate of Cuddapah & the Resident

24/6/97

Ys. Vide my notes on Kolar D/Comm's letter Rey' No. 11453. F 1444

24/6/97

Ent

Jrsd

23.6.97

Refers put up. BB 24/6/97

Subd & Sent 24/6/97

⊗ Detached

Office of the Deputy Commissioner
Kolar District — Dated June 17

To

The Secretary to the Government
of Mysore.
General and Revenue Departments,
Bangalore.

Sir,

In continuation of my letter No. 48 in part dated the 17th Instant, I have the honor to submit for orders of Government, another case of illegal Surrender by a British Magistrate of persons accused of having committed offences in the Mysore Territories.

2. Vemanna of Bagepalli Taluk preferred a complaint before the Sub Division Magistrate of Chikballapur, accusing his wife & another Vemanna of the same village of having eloped with his jewels and other property, and of living together in Domicile in village

village in Madanpalli Taluk. This complaint
GOVERNMENT OF MYSORE
was referred to the Police for investigation, and the
Police Inspector of Bagepalli Taluk. is stated to have
proceeded to the said village and enquired of the
accused Byaketa as to the truth of the complaint. She
having admitted the facts of her being a lawfully married
wife of the complainant, of having gone away with the
1st accused with some jewels on her person, and living
with the latter as his wife, the Inspector arrested her on
the 3rd instant, and the other accused on the following morning.
This, the Inspector was not competent to do, even though
as alleged by him, there were no British Police near at
hand to communicate with, and there was every chance
of the accused eluding justice, if not arrested immedie-
-tely.

3. He says that he took the prisoners before
different Magistrates for being remanded to custody,
pending the issue of a Rendition Warrant, but without avail,
and that he was finally directed by the Stationery
Magistrate of Madanpalli, to take and produce them
before

before the Sub Division Magistrate of Chickballapur.

4. On receipt of a diary from the Police Assistant Superintendent, I called upon the Inspector for a report of the facts, which was submitted. I have ordered their release on their own recognizances pending the orders of Government, and the application for a pendition warrant. I am sorry the Inspector should have exceeded his powers, and arrested the accused as he has done, and shall issue a circular pointing out the law for the guidance of the Police in this District. It will however be noticed that if any of the Magistrates in the Cuddapah District, before whom the accused were produced, had correctly interpreted the law, the accused would have been saved the trouble and inconvenience of being brought all the way to Chickballapur. In the meantime, I beg to suggest that the facts may be brought to the notice of the British Resident with a view to correct the erroneous notions entertained by the Magistracy of the Cuddapah District, on the law applicable to the case.

5. The papers as per margin are submitted herewith

+ 1. Police Inspector's diary dated 7th June 1897.
2. — do — dt 18th — do — with a remand granted by the Stationary Magistrate of Ramanapalle.

for preference and kind return when no longer required.

I have the honor to be
Sir
Your most obedient Servant

A Rangaswamy
District Magistrate,
Kolab district.

FILE. Police

FILE No. 95 of 96.

Item No. 2

XX / (2)

No. 3744 / 1440 dated 21-9-97.
Rec'd 1 file

To

The District Magistrate
of Kolar

His letter No Camp 49 dated 18th June 1897 reporting the circumstances connected with the arrest in British Territory of two persons named Yekala Venanna and Baiyakka who are accused of offences punishable under Sections 497, 498 and 380 of the Indian Penal Code, and of their surrender by the Stationary Sub. Magistrate of Madhanpalle without ~~waiting~~ for a warrant ~~issued~~ under the Extradition Act.

With reference to the above has the honor to state that the circumstances relating to the arrest and surrender of the accused in the above

3846
8443 of 22-9-97
in Part II.

case have been brought to the
notice of the Resident, but
that in the absence of any
record of the evidence which
is forthcoming against the accused,
application could not be made
~~by~~ to the Resident for a warrant
under the Extradition Act
in respect of the said accused;
and to request that the Sub
Magistrate will be so good
as to submit all available
evidence in the case as early
as practicable with a view
to an application for extra-
dition being made if
considered desirable.

The papers received with
the letter under reply are
returned herewith, ~~to~~ with
the exception of the order
under section 167 Cr. P. C. passed
by the Stationary Sub Magte
of Madhanpalli, which has
been sent to the Residency.

By order.

20/9/97
for Secretary

attended to.
20/9/97

obtained acc) Rec.d

TION Police

95 & 96

3

J 545 (8)

Gen. Serial No. 3[illegible]

1897-98

3

3453
23-10-97

From

The District Magistrate
Kolar District

To

The Secretary to the
Government of Mysore
Rev. and Genl. Depart.

Dated 20th October 1897

Despatched 21st October 1897

Received 23 [illegible]

Enclosures No.

General No. 1289
No. 368

His docket No. 3744/1440 dated 21 ultimo.

States that it is not necessary to take any action in the matter as the case against accused does not appear to be strong.

J 23/10/97

Refers put up
23-10-97. DNR

Put up the letter ⊕ addressed to the Treasurer about the 21 Inst. which is referred to in the docket & the D.C. Order &c. DNR 27/10/97

⊕ Subs. to Secretary on 19-10-97.
DNR

27/10/97 Subs. to the Secy. [illegible] 27/10/97

Get the file back from Secretariat
[illegible] 28/10

Asst to the Magistrate,
Deputy Commissioners Office
Kolar District
Dated 20th October 1897.

To

The Secretary to the
Government of Mysore
Revenue and Local Depts
Bangalore

Sir

Adverting to your docket
No 3744/1440 dated the 21st ultimo directing
me to submit necessary evidence
for the extradition of Gatala Venkan
na and another of Kalepally Talook
I have the honor to state that it is
not necessary to take any action
in the matter as the case against
the accused does not appear to be
strong. I have the honorable,
Sir
Your most obedient servant

A Rangaswamy
District Magistrate.

pd
Mesh

(4)

No 4915 / 3592 dt 3.11.97.

SECTION Political

Dept 1897 16

4

To

The First Assistant to the Resident
in Mysore

Sir,

I am directed to state, with reference to the last para of my letter No 3715/J.434 dated the 20th Sept 1897, that the District Magistrate of Kolar does not consider the case against the accused persons Gokala Venkanna and Baiyakka alluded to therein, to be strong, and that the Durbar do not therefore decide to make an application for their extradition.

I have &c—

C.

Secretary

Dd 2/11/

Sealed & desp 2-11-97

7617

Received

No. 4779. Encl.

4110
N 637 FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Pohei
To
95 of 96

(5)

FILE NO. 5

The Dewan of Mysore.

Dated Bangalore, 11th Nov 1897.

SIR,

I am directed to acknowledge the receipt of your letter No 4915-J.592 dated the 3rd instant, regarding the extradition of Yakala Vemanna and Baiyakka, and to return the original order of the Sub Magistrate of Madanapalli that was received with your letter No 3715-J.434 of the 20th September last.

I have the honour to be,

Sir,

Your most obedient servant.

K D Erskine Captain,

First Assistant Resident.